



# City Council Agenda

Council President  
**Henry T. Perea**

Councilmembers

**Brian Calhoun, Ph.D.**  
**Mike Dages**  
**Jerry Duncan**

**Cynthia Sterling**  
**Larry Westerlund**  
**Blong Xiong – Acting President**

City Manager  
**Andrew T. Souza**

City Clerk  
**Rebecca E. Klisch, CMC**

City Attorney  
**James C. Sanchez**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650.

The City Council welcomes you to this meeting.

## July 17, 2007

### 8:30 A.M. ROLL CALL

Invocation by Minister Chue Koua of the College Church of Christ

Pledge of Allegiance to the Flag

### **Ceremonial Presentation:**

Presentation of the SPCA Pet of the Month – Acting President Xiong - **Presented**

Proclamation of "RIDE TO WORK DAY" – Mayor Autry and Councilmember Duncan – **Read and presented**

Proclamation of "MIKE KIRN DAY" – All Councilmembers – **Read and presented**

2<sup>nd</sup> Quarter Promotional Ceremony – Personnel Services Dept. (*Reception immediately following – 2<sup>nd</sup> floor foyer*) - **Held**

The agenda is available on ([www.fresno.gov](http://www.fresno.gov)). The Council meeting can also be heard live at the same web site address, and viewed live on Cable Channel 96 from 8:30 a.m. and re-played beginning at 8:00 p.m.  
**PROCESS:** For each matter considered by the Council there will first be a staff presentation followed by a presentation from the involved individuals, if present. Testimony from those in attendance will then be taken. All testimony will be limited to three minutes per person. If you would like to speak fill out a Speaker Request Form available from the City Clerk's Office and in the Council Chambers. The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker.

The green light on the podium will be turned on when the speaker begins. The yellow light will come on with one minute remaining. The speaker should be completing the testimony by the time the red light comes on and tones sound, indicating that time has expired. A countdown of time remaining to speak is also displayed on the large screen behind the Council dais.

Following is a general schedule of items for Council consideration and action. The City Council may consider and act on an agenda item in any order it deems appropriate. Actual timed items may be heard later but not before the time set on agenda. Persons interested in an item listed on the agenda are advised to be present throughout the meeting to ensure their presence when the item is called.

Approve minutes of June 26, 2007

**Action Taken:** Approved

Councilmember Reports and Comments

**Action Taken:** Made

Approve Agenda

**Action Taken:** Approved, as amended

Adopt Consent Calendar

**Action Taken:** Adopted

1. **CONSENT CALENDAR**

All Consent Calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and will be considered at 2:00 P.M.

A. **RESOLUTION** - Dedicating certain City-owned property for public street purposes, public pedestrian walkway purposes, and public utility purposes on the south side of California Avenue east of West Avenue (**Property located in District 3**) – Public Works Dept.

**Action Taken:** Resolution No. 2007-234 adopted

B. **RESOLUTION** - Dedicating easements over certain City-owned property for public pedestrian walkway purposes, public utility purposes, and landscaping purposes on the southwest corner of Maple and Byrd Avenues (**Property located in District 5**) – Public Works Dept.

**Action Taken:** Resolution No. 2007-235 adopted

C. \* Approve the acquisition of one street easement for the placement of curb, gutter and sidewalk along Whitesbridge between West Avenue and Freeway 99 from property owner, Miguel Sepulveda (**Property located in District 3**) – Public Works Dept.

**Action Taken:** Approved

D. Authorize the agreement between the City of Fresno and Caltrans to provide a freeway litter clean-up program with the use of inmate labor – Police Dept.

**Action Taken:** Authorized

1. \* **RESOLUTION** – 1st amendment to AAR No. 2007-214 appropriating \$267,200 to fund the freeway litter clean-up program (**Requires 5 affirmative votes**)

**Action Taken:** Resolution No. 2007-236 adopted

E. \* **RESOLUTION** – 3rd amendment to AAR No. 2007-214 appropriating \$5,500 to provide funds for annual lease payments and approve financing authority for lease purchase of a digital mail machine for Central Printing (**Requires 5 affirmative votes**) – General Services Dept.

**Action Taken:** Resolution No. 2007-237 adopted

1. **CONSENT CALENDAR CONTINUED**

- F. Reject all bids for Sound Mitigation Project at Fresno Surface Water Treatment Facility – Dept. of Public Utilities  
**Action Taken:** Rejected
- G. Request authorization to execute Amendment No. 1 for \$59,546. to the Professional Services Agreement with Quad Knopf for services related to the Housing Element – Planning and Development Dept.  
**Action Taken:** Authorized
- H. \* Approve the purchase of five (5) vacant parcels (2.37 net acres) located in Southwest Fresno utilizing \$364,500 in HOME Program Funds for the development of mixed income single-family housing – Planning and Development Dept.  
**Action Taken:** Continued to July 24, 2007
- I. Approve the use of California Department of Housing and Community Development Workforce Housing Reward grant funds in the amount of \$757,169 for the design and construction of the Willow Avenue Bridge widening in Southeast Fresno – Planning and Development Dept.  
**Action Taken:** Approved
- J. Approve Amendment No. 1 to U.S. HUD Economic Development Initiative Program Subrecipient Agreement between City of Fresno and One By One Leadership approving a time extension for the implementation of the EDI Housing Rehabilitation Program – Planning and Development Dept.  
**Action Taken:** Approved
- K. **RESOLUTION** – Authorizing the acceptance of a grant award for \$125,000 for the Metro Rural Loop from the State of California Business Transportation and Housing Agency  
**Action Taken:** Resolution No. 2007-238 adopted
1. \* **RESOLUTION** – 2<sup>nd</sup> amendment to AAR No. 2007-214 appropriating \$125,000 from the State of California Business Transportation and Housing Agency to the Planning and Development Department to conduct a feasibility study – Planning and Development Dept.  
**Action Taken:** Resolution No. 2007-239 adopted
- L. **RESOLUTION** – Initiating rezoning (prezoning) on 35 parcels totaling approximately 57.51 acres within the City of Fresno's Sphere of Influence – Planning and Development Dept.  
**Action Taken:** Resolution No. 2007-240 adopted

**SCHEDULED COUNCIL HEARINGS AND MATTERS**

- 9:00 A.M. A. **SCHEDULED COMMUNICATION –**
1. Appearance by Don Glasson to discuss the Building Inspection Division of the Planning and Development Department – **Laid over one week**
- B. **UNSCHEDULED COMMUNICATION** – Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least ten (10) days prior to the desired date. Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda

## **SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED**

9:45 A.M.

### **CITY COUNCIL**

- A. \* **(AMENDED) BILL NO. B- 57– (Intro. as Bill No. B-54 and amended on 6/19/2007) (For adoption)** - Consideration of amendment to Fresno Municipal Code Section 7-546(1) eliminating wager limits for Texas Hold-em – Councilmember Dages  
**Action Taken:** Ordinance No. 2007-57 adopted
- B. Request update from staff regarding Fancher Creek Shopping Center and Business Park – Councilmember Dages  
**Action Taken:** Update given (written staff report forth coming)
- C. Request staff to issue an invitation to the field of current United States Presidential candidates to participate in a Town Hall meeting in Fresno to discuss issues that are important to the City of Fresno and region - Councilmember Calhoun  
**Action Taken:** Approved

10:00 A.M.

**HEARING** to consider Resolution of Intention to annex Final Tract No. 5589 as Annexation No. 18 to Community Facilities District No. 11 **(Property located in District 1)** – Public Works Dept.  
**(Continue to July 31, 2007 at 10:15 a.m.)**  
**Action Taken:** Continued as noted

10:05 A.M.

**CONTINUED HEARING** regarding City of Fresno Community Facilities District No. 11, Annexation No. 17 (Final Tract Map No. 5730) **(Property located in District 2)** – Public Works Dept. **(Continue to July 31, 2007 at 10:00 a.m.)**  
**Action Taken:** Continued as noted

10:15 A.M.

**HEARING** regarding altering the maximum special tax for Community Facility District No. 2, Annexation No. 81 and 82 (Final Tract Map Nos. 5258 and 5295) – Public Works Department  
**(Continue to July 24, 2007 @ 11:00 a.m.)**  
**Action Taken:** Continued as noted

10:30 A.M.

### **JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Approve Agency minutes of June 26, 2007

**Action Taken:** Approved

- A. **HEARING** regarding approval of the Proposed Five-Year Implementation Plan for the Roeding Business Park Redevelopment Project Area  
**Action Taken:** Held
1. **RESOLUTION** - Approving the Proposed Five-Year Implementation Plan for the Roeding Business Park Redevelopment Project Area **(Agency action)**  
**Action Taken:** Resolution No. 1702 adopted
- B. Consider Actions Relating to Proposed Bel-Air Motel Project in the Freeway 99–Golden State Corridor Redevelopment Project Area:
1. **RESOLUTION** - Approving a Relocation Plan relating to the Bel Air Motel in the Freeway 99-Golden State Corridor Redevelopment Area **(Council and Agency action)**  
**Action Taken:** Resolution Nos. 2007-241/1703 adopted
2. **RESOLUTION** – Adopting a Replacement Housing Plan relating to the acquisition of the Bel-Air Motel in the Freeway 99-Golden state Corridor Redevelopment Area **(Agency action)**  
**Action Taken:** Resolution No. 1704 adopted

**ADJOURN AGENCY**

## **SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED**

**10:40 A.M.      TEFRA HEARING** as required by Section 147(F) of the Internal Revenue Code of 1986 to hear and to consider information concerning the proposed issuance of revenue bonds by the Housing Authority of the City of Fresno to finance the acquisition and construction of a 70-unit multifamily residential rental project, commonly known as Yosemite Village - Finance Department

**Action Taken:** Held

A. \* **RESOLUTION** – Approving the issuance by the Housing Authority of the City of Fresno of revenue bonds in the aggregate principal amount not to exceed \$6 million

**Action Taken:** Resolution No. 2007-242 adopted

**10:50 A.M.      TEFRA HEARING** as required by Section 147(F) of the Internal Revenue Code of 1986 to hear and to consider information concerning the proposed issuance of revenue bonds by the Housing Authority of the City of Fresno to finance the acquisition and construction of two multifamily residential rental projects, commonly known as Elm Crossings – Finance Department

**Action Taken:** Held

A. \* **RESOLUTION** - Approving the issuance by the Housing Authority of the City of Fresno of revenue bonds in the aggregate principal amount not to exceed \$5 million

**Action Taken:** Resolution No. 2007-243 adopted

**11:00 A.M.      GENERAL ADMINISTRATION**

A. Information report on current pension issues and the results of special actuarial studies projecting the availability of surplus earnings in the Retirement Systems over the next seven actuarial valuations - Retirement Office

**Action Taken:** Report made

B. Accept City of Fresno Comprehensive Annual Financial Report (CAFR) for fiscal year 2006 and related letter to management – Finance Department

**Action Taken:** Accepted

C. Discussion and approval of taxi cab requirements and fare rate recommendation – Finance Department

**Action Taken:** Discussed

1. \* **RESOLUTION** – Establishing rates of fare to be charged by taxi cabs in the City of Fresno

**Action Taken:** Resolution No. 2007-244 adopted

D. Accept written response to taxi cab industry owners' request for information – Finance Dept.

**Action Taken:** Accepted

**2:00 P.M. #1      CONTESTED CONSENT CALENDAR**

**2:00 P.M. #2      CLOSED SESSION**

A. **CONFERENCE WITH LABOR NEGOTIATOR** – Government Code Section 54957.6

**City Negotiators:** Ken Phillips, Terry Bond

**Employee Organizations:**

1. International Union of Operating Engineers, Stationary Engineers (Local 39)
2. International Brotherhood of Electrical Workers, Local 100 (IBEW)
3. Fresno Police Officers Association (FPOA Management Unit)
4. International Association of Firefighters, Local 753 (IAFF Management Unit)

**Action Taken:** Held

## **SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED**

2:30 P.M.      **Action regarding Fiscal Year 2008 budget consideration requests and line item vetoes:**

**A.      REQUEST FOR OVERRIDE OF MAYORAL VETO – Council President Perea  
(Requires Five (5) Affirmative Votes)**

1.      **RESOLUTION NO. 2007-214 – (Annual Appropriation Resolution) (AAR)**  
Adopting the budget for Fiscal Year 2008 and appropriating to the various departments amounts set forth for the purposes named herein:
  - a.      Reduction of \$350,000 related to Police Department Gang Suppression/Intelligence Unit  
**Action Taken:    Tabled one week**
  - b.      Reduction of \$100,000 as matching funds for Storyland/Playland as currently presented  
**Action Taken:    Discussed and tabled one week**

**B.      REQUEST FOR RECONSIDERATION – CHARTER MANDATED  
(Requires Simple Majority Vote)**

1.      **RESOLUTION NO. 2007-215 – (Position Allocation Resolution) (PAR)**  
Establishing the number of positions authorized in the various departments and offices of the City for Fiscal Year 2008
  - a.      Reconsider adding the Independent Police Auditor to the PAR in the City Manager's Office  
**Action Taken:    Tabled one week**
  - b.      Reconsider adding the Executive Analyst to Council position back into the PAR in the Council President's budget effect January 1, 2008  
**Action Taken:    Tabled one week**
2.      **RESOLUTION NO. 2007-214 – (Annual Appropriation Resolution) (AAR)**  
Adopting the budget for Fiscal Year 2008 and appropriating to the various departments amounts set forth for the purposes named herein:
  - a.      Reconsider \$350,000 of resources for the Police Department as originally proposed in the Police Department's fiscal year 2008 budget  
**Action Taken:    Tabled one week**
  - b.      Reconsider an additional \$50,000 of funding for the Regional Jobs Initiative to restore to proposed level of \$175,000  
**Action Taken:    Tabled one week**
3.      **RESOLUTION NO. 2007-217 – (Salary Resolution) -** Establishing rules for the application of City employee compensation rates and schedules and related requirements, and establishing compensation rates and schedules for Fiscal Year 2008
  - a.      Reconsider adding the Independent Police Auditor in the Salary Resolution in the City Manager's Office  
**Action Taken:    Tabled one week**

**C.      REQUEST FOR RECONSIDERATION    (Requires Simple Majority Vote)**

1.      **REQUEST FOR RECONSIDERATION OF RESOLUTION NO. 2007-214 – (Annual Appropriation Resolution) (AAR)** Adopting the budget for Fiscal Year 2008 and appropriating to the various departments amounts set forth for the purposes named herein:
  - a.      Reconsider \$100,000 match for Storyland/Playland for the specific purpose of capital repairs to the lake's circulation equipment  
**Action Taken:    Discussed and tabled one week**

## SCHEDULED COUNCIL HEARINGS AND MATTERS CONTINUED

**3:00 P.M.**      **RESOLUTION** - Authorizing Mayor's execution of Program Agreement 1 with the San Joaquin Valley Power Authority in order for the City of Fresno to participate in a Community Choice Aggregation Program – Dept. of Public Utilities  
**Action Taken:**    Laid over one week

## SCHEDULED COUNCIL HEARINGS AND MATTERS

July	24 -	8:30 A.M.	Presentation of P.R.I.D.E. Team Certificates for the Summer Quarter ( <b><i>Reception immediately following – 2<sup>nd</sup> floor foyer</i></b> )
July	24 -	10:00 A.M.#2	<b>HEARING</b> to rescind and replace Resolution Nos. 2002-298, 2002-299 and 2002-300, which ordered the vacation of various streets and alleys between Illinois Ave. and McKenzie Ave. west of Fresno Street to accommodate the continuing expansion of the Regional Medical Center ( <b><i>Located in District No. 3</i></b> ) – R.I. 1061-D
July	24 -	10:15 A.M.	<b>HEARING</b> regarding CUP No. 01-209 to eliminate parking on Spruce between Blackstone Avenue and Abby Street – Public Works Dept.
July	24 -	10:30 A.M.	<b>TEFRA HEARING</b> re: FCEOC Early Head Start Child Care Center
July	24 -	10:45 A.M.	<b>HEARING</b> re: Appeal of CUP No. C-07-134, filed by the City of Fresno – Planning and Development Dept.
July	24 -	11:00 A.M.	<b>CONTINUED HEARING</b> regarding altering the maximum special tax for Community Facility District No. 2, Annexation No. 81 and 82 (Final Tract Map Nos. 5258 and 5295) – Public Works Department
July	31 -	10:00 A.M.#1	<b>HEARING</b> re: Lighting Maintenance District (City wide) – Public Works Department
July	31 -	10:00 A.M.#2	<b>CONTINUED HEARING</b> regarding City of Fresno Community Facilities District No. 11, Annexation No. 17 (Final Tract Map No. 5730) ( <b><i>Property located in District 2</i></b> )
July	31 -	10:10 A.M.	<b>HEARING</b> re: Rezone Application R-06-069, filed by Yamabe and Horn Engineering, Inc. on behalf of Stockridge Development Inc.
July	31 -	10:15 A.M.	<b>CONTINUED HEARING</b> re: Community Facilities District No. 11 (Final Tract No. 5589) Annexation No. 18 to ( <b><i>Property located in District 1</i></b> ) – Public Works Dept.
July	31 -	10:20 A.M.	<b>HEARING</b> re: Rezone Application No. R-07-23, filed by Bill Gavello, on behalf of Angie Gavello living trust
July	31 -	10:25 A.M.	<b>HEARING</b> re: Rezone Application No. R-07-34, filed by Leland Parnagian, on behalf of Denken Farms. LP
July	31 -	10:30 A.M.	<b>HEARING</b> re: Rezone Application No. R-07-35, filed by Lorelee Geisor
July	31 -	10:35 A.M.	<b>HEARING</b> re: Rezone Application No. R-07-36, filed by Donald Sims
July	31 -	10:40 A.M.	<b>HEARING</b> re: Rezone Application No. R-06-64, and environmental findings, filed by James Quinn, Associated Design and Engineering, Inc., on behalf of Percy Williams, Greg Maroot, et al.
Aug.	7 -		<b>NO MEETING - COUNCIL RECESS</b>
Aug.	14 -		<b>NO MEETING - COUNCIL RECESS</b>
Aug.	21 -	10:00 A.M.	<b>WORKSHOP</b> re: update on change in governance structure in the Dept. of Public Utilities
Aug.	21 -	10:15 A.M.	Consideration of Alternative Building Standards and Special Permit Processing (Adaptive Reuse) policy and procedures
Aug.	21 -	10:30 A.M.	Consideration of Outdoor Patio Dining policy and procedures
Aug.	28 -	4:00 P.M.	<b>HEARING</b> re: 2007 Cycle 1 Plan Amendments
Sept.	4 -		<b>NO MEETING - DUE TO LABOR DAY</b>
Sept.	11 -		<b>NO MEETING - COUNCIL RECESS</b>
Sept.	19 (Wed.)	2:00 P.M.	Presentation of Employee Service Awards (Council Chambers) ( <b><i>Reception immediately following – 2<sup>nd</sup> floor foyer</i></b> )